

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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ZBA 2010-58
Petition of Denali Construction
2 Woodway Road

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, July 15, 2010 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of JAMES DePAOLO JR., DENALI CONSTRUCTION requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 4.5 foot by 8.42 foot front entry porch and construction of a 465.11 square foot two-story addition that will meet all setback requirements, on a 15,236 square foot lot in a district in which the minimum lot size is 20,000 square feet, at 2 WOODWAY ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 28, 2010, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was James DePaolo, Denali Construction (the "Petitioner"). Also present was Chris Crump, CWC Design.

Mr. Crump said that the lot is nonconforming. He said that the proposal is to build an addition at the back of the house. He said that the addition will meet Zoning requirements. He said that the project will not exceed the Total Living Area plus Garage Space (TLAG) threshold for the district.

Mr. Crump said that the owner spoke with all of the abutters and there were no objections to the plans.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 2 Woodway Road, on a 15,236 square foot corner lot in a district in which the minimum lot size is 20,000 square feet.

The Petitioner is requesting a Special Permit/Finding that construction of a 4.5 foot by 8.42 foot front entry porch and construction of a 465.11 square foot two-story addition that will meet all setback requirements, on a 15,236 square foot lot in a district in which the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 6/16/10, stamped by Terrence M. Ryan, Professional Land Surveyor, Existing and Proposed Floor Plans & Elevation Drawings, dated 6/7/10, prepared by CWC Design, and photographs were submitted.

On July 13, 2010, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that construction of a 4.5 foot by 8.42 foot front entry porch and construction of a 465.11 square foot two-story addition that will meet all setback requirements, on a 15,236 square foot lot in a district in which the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted for construction of a 4.5 foot by 8.42 foot front entry porch and construction of a 465.11 square foot two-story addition that will meet all setback requirements, on a 15,236 square foot lot in a district in which the minimum lot size is 20,000 square feet.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time-stamped on this decision.

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

Cynthia S. Hibbard, Acting Chairman

Robert W. Levy

David L. Grissino

cc: Planning Board
Inspector of Buildings
lrm